



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,860	04/18/2001	Sanjay Savur	50013-00001	6235

25231 7590 01/14/2005

MARSH, FISCHMANN & BREYFOGLE LLP  
3151 SOUTH VAUGHN WAY  
SUITE 411  
AURORA, CO 80014

EXAMINER

WEINSTEIN, STEVEN L

ART UNIT	PAPER NUMBER
----------	--------------

1761

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



09807860  
15  
UNITED STATES DEPARTMENT OF COMMERCE

**U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.09807860	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---	-------------	---	---------------------

EXAMINER S.L. WEINSTEIN

ART UNIT 1761	PAPER
---------------	-------

.999

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding:**

Patents

Commissioner for

The communication filed on September 3, 2004 and re-filed on October 12, 2004 is non-responsive because it fails to include a complete record of the substance of the interview held on July 27, 2004 as required. No record of the interview was given. See MPEP Sec. 713.04 in this regard.

To expedite prosecution, applicants should consider adding the following concepts to all of the independent claims:

1. that the carbon dioxide absorbing material is placed in the chamber in communication with the chamber atmosphere;
2. that the respiring produce is in the chamber;
3. that the monitoring of oxygen is done automatically;

4. that the total amount of carbon dioxide absorbing material in the chamber is sufficient to maintain the carbon dioxide concentration within the predetermined range throughout the storage time;
5. that the oxygen monitoring is done automatically;
6. that the chambers has inlet means which opens intermittently in response to the oxygen monitoring to admit outside ambient atmosphere to raise the oxygen level;
7. that the oxygen reduction is a result of the consumption of oxygen of the respiring produce;
8. that the preset oxygen concentration is greater than zero but is at a value below normal ambient air sufficient to prolong the storage life of the produce.

Any inquiry concerning this communication from the examiner should be directed to Steven L. Weinstein whose telephone number is (571) 272-1410. The examiner can generally be reached on Monday-Friday from 7:00 a.m. to 3:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on (571) 272-1398. The fax phone number for the organization where this application is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).